

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

GEMINI IP, LLC,

Plaintiff,

v.

LANDESK SOFTWARE, INC., et al.,

Defendants.

Case No. 4:07-cv-00521-RAS

DEMAND FOR JURY TRIAL

**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE
OF DEFENDANT ELSINORE TECHNOLOGIES, INC.**

Plaintiff Gemini IP, LLC, and defendant Elsinore Technologies, Inc., pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action WITH PREJUDICE, subject to the terms of a “**PATENT LICENSE AND SETTLEMENT AGREEMENT**” dated January 25, 2011, with each party to bear its own costs, expenses and attorney fees.

Dated: February 4, 2011

Respectfully submitted,

By: /s/ James C. Otteson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by U.S. Mail or facsimile transmission on February 4, 2011.

/s/ James C. Otteson
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